

SETTLEMENT

Goals

Private Land Use. Make available to present and future Alaskans suitable public land for private settlement. DNR can identify and offer lands that are suitable for year-round residence, seasonal residence, or self-sufficient remote residence. Once the land is sold the owner must decide how to use the land in accordance with applicable laws and regulations. DNR can not guarantee that, for instance, land sold to satisfy the demand for seasonal residences will not be used for permanent residences. Nor can DNR assure that future land owners will not demand public services and improvements such as schools. Within the planning area DNR considered the demand for each of the five categories of settlement listed below. However, there is little state land near existing communities or on the major rivers. Given the nature of demand for settlement lands in the area, the department's emphasis in the planning area has to be on meeting demand for recreational use and seasonal residences.

1. Recreational use or seasonal residences. This category is the most common use of land disposed of by the state. DNR will, where feasible, avoid poor quality sites, such as north facing slopes, and offer quality sites with characteristics such as proximity to water, views, good hunting, or interesting topography. Because there is a limited supply of state land with characteristics that make it highly desirable, the state will have to offer some lands that do not have exceptional amenity values to meet the demand for recreational and seasonal use.

The state will also offer opportunities for recreation and seasonal use through the state's remote cabin program (see the *Remote Cabin* section, page 2-25 in this chapter).

2. Year-round residences or community expansion. Although there is little state land near existing communities, where it can, DNR will offer accessible land that is suitable to meet the needs of growing communities. This category serves people whose principal place of residence--and

usually work--is or will be in the area of the disposal.

3. Year-round, relatively self-sufficient remote residences. DNR will provide opportunities for a few people who wish to pursue a remote, more or less self-sufficient lifestyle. Generally, the state will not offer tracts large enough for families to subsist on, but rather will offer smaller parcels adjacent to public lands. Under current programs, homesteads are limited to 40 acres or less. Entrants can use adjacent public land to gather firewood and house logs and to hunt and fish.

This category, although important, will not be a high priority in the disposal program because it is expensive (due to survey costs) and requires a commitment of large amounts of public land to satisfy relatively few people; and it is less in demand than the preceding two categories.

4. Settlement associated with natural resource development projects. The state will set a high priority on making land available for the development of new towns or the expansion of existing communities adjacent to major resource development projects. In some cases, the state must decide if leasing lands for a campsite or temporary settlement is preferable to selling land for a townsite.

5. Industrial or commercial development. To stimulate or facilitate economic development, DNR will sell, lease, or protect for future use suitable land for settlement associated with private, commercial, industrial use. Requirements for these uses are highly site-specific, and disposal decisions will be made case by case as demands arise.

Resource and Economic Impacts. Contribute positively to other uses of natural resources and minimize the undesired impacts of land offerings on opportunities for resource use.

Land Acquisition. Provide individuals a range of options for acquiring title to state land. Under the current homestead and homesite programs, state land may be acquired by various combina-

tions of residing on the property, constructing a dwelling on the property, and purchasing the property. State lands offered for private ownership under the general land disposal program will be sold for current, fair market value, subject but not limited to the exceptions noted in AS 38.05.055 and 38.05.057.

Fiscal Impacts. Minimize future fiscal costs to local or state government for services, wildfire management, and infrastructure requirements that result from settlement of state lands.

Community and Social Impacts. Minimize undesired changes in the character of life among nearby communities or residents caused by land disposal projects, while considering the needs and demands of all state residents.

Coordination With Local Governments and Landowners. Coordinate state land offering programs with similar programs of local governments and major landowners to best achieve common objectives. Consider availability of land in private ownership when determining the amount, type, and location of state land offerings.

Management Guidelines

A. Planning and Coordination

1. Long-term Program. Under this plan up to 1,250 acres may be offered for settlement. With certain exceptions that are noted in Chapter 3, the acreage offered in any given area designated for settlement may be adjusted up or down based on the amount of land determined suitable for offering during the land disposal and planning process.

The disposal program will be designed to make land available for at least 20 years to ensure that Alaskans have the opportunity to acquire public land in the future. The pacing of land disposals will be controlled through the disposal schedule described in Guideline A-6 below.

2. Competition. Although the state will coordinate its offerings with those of other landowners, it may compete with the private sector or local governments if necessary to satisfy demand, provide market choice, or moderate prices.

3. Local Plans. DNR will comply with provisions of local comprehensive plans regarding the pace, location, and density of land development except to the extent that local requirements are inconsistent with a major overriding state interest.

4. Design Review Boards. In addition to holding public meetings, a local design review board will be established when, in the opinion of the Director of the Division of Land and Water Management, it would be a constructive way to involve persons affected by a disposal project. A design review board will consist of three to five members comprised of citizens and local government officials appointed by an appropriate local government, such as a coastal district or city or borough government. Where local government does not exist or is unwilling to appoint such a board, DNR will make the appointments if sufficient interest exists.

The design review board is advisory and will participate in and review all stages of design, including location, design of parcel size, transportation routes, and open space. The board will make recommendations to the Director of the Division of Land and Water Management at appropriate times during the design process.

5. Coordination with Local Governments. Where DNR and a municipality both have land offering programs, these programs should be coordinated to best achieve common objectives. To this end, DNR would develop a joint disposal plan for state and municipal lands with any municipality that is interested. This plan would consider the municipality's fiscal planning for road extension priorities and its plans for levels of services in different areas. If a municipality has a comprehensive land use plan, that plan will provide direction for disposal priorities. The disposal plan should demonstrate what community objectives would be met and how the requested capital improvement funds would support municipality-wide priorities for roads and service extensions to benefit current and future residents. The disposal plan should demonstrate how increased access and development will promote use of other resources such as agriculture, mining, forestry and recreation, and thus provide statewide as well as regional benefits.

6. Pacing. Due to concerns about impacts on community lifestyles or resources, the following land offerings on the Seward Peninsula should be phased over a number of years:

Disposal	Offer After	Acres	Parcels
Christian Creek	1990	650	All available parcels
Golden Gate I	1995	80	1/2 available parcels
Pilgrim	2000	100	All available parcels
Golden Gate II	2005	70	All remaining parcels
TOTAL		900	

The two land sale proposals within the Northwest Arctic Borough (Kolliksak Lake, 100 to 200 acres, and Mauneluk River, 75 to 100 acres) will not be offered before 1994 or until the borough's comprehensive plan is adopted, whichever comes first.

B. Types of Offerings

The types of offerings are established by the legislature and are subject to change. The following guidelines relate to several types of offerings available to the department at this time.

- 1. Predesignated Parcels.** In areas where severe land use conflicts and inefficient use of resources are expected to result from owner staking by the entrant, DNR may offer homestead parcels with predesignated boundaries.
- 2. Isolated Parcels of State Land.** The state has acquired--and will continue to acquire--isolated parcels of land through foreclosure, escheat, and other methods. The following guidelines apply to management and possible disposal of these parcels.
 - **In or Near Existing Communities.** If the parcel is in or immediately adjacent to an existing community or past state land offering, the parcel can be offered for settlement unless it is appropriate as a site(s) for schools,

gravel pits, roads, parks, sewer treatment plants, or other public facilities.

- **Parcels Near Other State Land.** If the parcel adjoins or is surrounded by other state land, it should be managed according to the management intent and guidelines applicable to the adjacent state lands.
- **Parcels Not Near Other State Land.** Parcels, such as mineral patents or homesteads surrounded by federal lands, should be considered for sale or exchange to the adjacent land owner.

3. Leases for Private Recreation Cabins. Leases for private (non-commercial) recreational cabins are prohibited.

C. Protection, Management, and Enhancement of Other Resources

1. Protection of Life and Property. The state will, to the extent feasible and prudent, discourage development in areas of flooding, unstable ground, significant avalanche risk, and other hazards. The department will achieve this objective by retaining public land, requiring building setbacks, or public education.

DNR will discourage development of non-water-dependent structures in the 100-year floodway by requiring necessary residential building setbacks and by providing available information about flood zones in land disposal brochures when a disposal is in a potential flood hazard area.

In drainages where the 100-year floodway has not been surveyed, the best available information will be used to determine the flood hazard zone that should remain in public ownership.

2. Protection and Management of Valuable Environmental Processes. The state will provide a publicly owned open-space system to preserve important fish and wildlife habitats and natural areas such as shorelands, freshwater wetlands, riparian lands, watersheds, and surface and ground water recharge areas. (See policies on these subjects for details, especially *Fish and Wildlife Habitat* Guideline H, page 2-8.)

Wetlands with important hydrologic, habitat, or recreational values and adjacent buffer strips will be retained for open space. Systems of publicly owned land will be designed to provide

the necessary linkage and continuity to protect or increase values for human uses and wildlife movements. In some places, large areas may be retained to provide adequate terrestrial habitat.

3. Protection and Enhancement of Scenic Features. The state generally will retain in public ownership unique natural features such as cliffs, bluffs and waterfalls, and foreground open space for panoramic vistas. Public access to such amenities will also be preserved.

Unusual land forms or scenic features will be retained in state ownership for enjoyment and use by the public. Such lands include islands in rivers unless land disposals can be designed to prevent negative effects on the scenic and recreational values of the area.

4. Protection and Enhancement of Recreational, Educational, and Cultural Opportunities. Project the need for, and retain appropriate areas for outdoor recreation, trails, campsites, boat launches, historic sites, and areas for scientific study. Areas for intensive and dispersed use will be preserved.

5. Protection of Subsurface Resources. Settlement areas designated by this plan generally avoid areas with high mineral potential, mining locations in good standing, existing coal leases, or moderate to high coal potential as defined in 11 AAC 85.010. In the Nome area, a few mineralized areas have been designated for dispersed settlement.

6. Protection of Material Sources. Generally if a settlement area contains sand and gravel deposits, rock sources, or other similar, high value material sources, a pit area will be identified before land offerings, and retained in public ownership for future use.

D. Design

1. Provision of Public Land for Communities. Project the need for and retain appropriate greenbelts, public-use corridors, personal-use wood lots, buffer areas, commons, building setbacks, sites for schools, gravel pits, roads, parks, and other public facilities such as sewer treatment plants and health clinics, as well as other open spaces to help create a desirable land use pattern in developing areas.

2. Cost of Public Services. In accordance with AS 38.04.010, DNR will attempt to guide year-round settlement to areas where services exist or can be provided with reasonable efficiency. State land that is located beyond the range of existing schools and other necessary public services or that is located where development of sources of employment is improbable will be sited and designed to encourage seasonal use with sufficient separation between residences so that public services will not be necessary or expected. Wildfire management costs that result from settlement will be considered and minimized to the extent feasible.

3. Provision of Access. The state will ensure that legal, practical public access (landing areas, rivers, trails, or other options most appropriate to the particular situation) is identified and reserved within land offerings. Traditional and customary access to subsistence use areas and existing trails shall also be identified and reserved within the land offering unless reasonable alternative access is provided for subsistence users (see *Subsistence Activities and Traditional Uses* Guideline B, page 2-43).

Within land offering areas made available through random staking or predesignated sites, section line or other easements should not be relied on for access without field inspection of the practicality of the route. Identified access will be described in the land offering brochure. Where needed to reduce the likelihood of conflicts with existing private owners, DNR may brush or flag public access routes to land offering projects.

When they exist and where DNR proposes a subdivision, DNR will comply with the applicable provisions of local government subdivision ordinances, including those concerning capital improvements. Where no subdivision ordinance is in effect, DNR will ensure actual physical access is available or can be developed (road, air, or water) to each new state subdivision project. The department will evaluate the need to construct new access to a subdivision case by case.

4. Personal Use of Nearby Resources. One of the considerations in deciding the location, size, and design of land disposal projects will be the nearby supply of resources, such as firewood and house logs, and the expected demand from

people who will own the parcels. Where it is anticipated that land recipients will want to use timber resources, nearby wood lots may be retained instead of selling individual parcels large enough to meet the personal use demands of the owner. This would provide some nearby public land on which firewood and house logs can be gathered while keeping open options for other uses of those lands when access develops or new demands are identified.

5. Subdivision Design. If subdivisions are offered, they will be designed to preserve and enhance the quality of the natural setting and the recreational opportunities that make an area attractive to potential buyers.

Procedures and standards for subdivision design will be as set forth in 'Design of Residential and Recreational Subdivisions,' in the Division of Land and Water Management's Policy and Procedures Manual. The subdivision design will be reviewed and approved by DEC in accordance with 18 AAC 72.065.

6. Boundaries of Settlement Designations. Boundaries of land use designations shown on the maps in Chapter 3 may be modified through on-the-ground implementation activities--for example, site planning for disposals--if the modifications adhere to the management intent for the subunits affected.

7. Easements. Easements will be used as one means to acquire rights through privately owned lands needed for public use.

Easements generally will not be used to retain a public interest in lands within a subdivision. Instead, DNR will generally retain such lands in public ownership. Exceptions to this policy may be made where the interest protected is very limited such as for local pedestrian access

that is not part of an integrated neighborhood or community trail system. This policy will minimize confusion between public use and private ownership rights.

8. Staking Outside Designated Project Areas. Entrants are responsible for establishing the location of their parcels accurately. Title will not be granted to parcels located outside the boundaries of project areas. Entrants who incorrectly locate parcels outside designated areas may be given a second opportunity to stake within the proper area.

9. Setbacks Along Streams. See *Stream Corridors*, Guideline D-2, page 2-40.

10. Setbacks Along Lakeshore. See *Lakeshore Management*, Guideline C, page 2-15.

11. Community Notice. See *Coordination and Public Notice*, Guideline C, page 2-5.

E. Other Guidelines Affecting Settlement. Several other guidelines may affect settlement. See the following sections of this chapter:

- Coordination and public notice
- Heritage resources
- Fish and wildlife habitat
- Forestry
- Grazing
- Heritage resources
- Lakeshore management
- Materials
- Public access
- Public and commercial recreation
- Stream corridors and instream flow
- Subsistence activities and traditional uses
- Subsurface resources
- Trail management
- Transportation and utilities
- Wetlands management

Land Allocation Summary

A high settlement-suitability potential was assigned to 2,691 acres of the more than 10.5 million acres of state-owned or -selected land in the planning area. Most of this land (1,894 acres) is on the Lisburne Peninsula. One hundred and ninety-nine acres of the Kobuk River and 598 of the Seward Peninsula subregions also rated high for settlement potential. Overall, in addition to the high potential land, 221,602 acres were rated moderate potential, 2,334,337 acres low potential, 7,744,915 acres unsuitable for settlement and 216,414 were not even considered for settlement because they were found to be incapable of supporting this use.

Five areas are designated to be offered for private ownership during the next 20 years. Two of these designated settlement areas are in the Kobuk Management Unit and four in the Southwest Seward Peninsula Management Unit. The 100 to 200-acre Kollioksak Lake settlement area and 75 to 150-acre Mauneluk River area in Unit 3 (Kobuk) in combination with the 100-acre Pilgrim, 150-acre Golden Gate and 650-acre Christian Creek settlement areas of Unit 5 (Southwest Seward Peninsula) total 1,075 to 1,250 acres. This represents one-hundredth of one percent--0.01 percent (approximate)--of the state-owned or state-selected uplands in the planning area.

SETTLEMENT AND
REMOTE CABIN
AREAS

